

Message Text

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PAGE 01 STATE 094339
ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 DODE-00 NSAE-00 ICA-11
TRSE-00 SOE-02 DOE-15 CIAE-00 COME-00 ACDA-12
/061 R

DRAFTED BY EB/ITP/EWT - BFURNESS:JAS
APPROVED BY EB/ITP/EWT - RPRACHT
DEFENSE/OSD - LJAMES (SUBS)
DOE - JKRAZT (DEFER TO DOD)
EUR/EE - SFROMOWITZ (SUBS)
DOC/OEA - CSEASWORD (SUBS)
EUR/NE - DGOODMAN (SUBS)
RPE

-----114986 130740Z /14
R 122259Z APR 78
FM SECSTATE WASHDC
TO AMEMBASSY PARIS
INFO AMEMBASSY LONDON

C O N F I D E N T I A L STATE 094339

USOEC, EXCON

E.O. 11652: XGDS-1

TAGS: ESTC, COCOM, UK, RO

SUBJECT: UK LICENSE AGREEMENT TO MANUFACTURE BAC 1-11-475
AIRCRAFT IN ROMANIA

REF: A) COCOM DOC (78) 89, B) STATE 57712, C) PARIS 8429
1. NO OBJECTION, PROVIDED THAT:

A) UK AUTHORITIES AGREE TO TAKE ALL NECESSARY PRECAUTIONS
TO LIMIT TECHNOLOGY AND TECHNICAL ASSISTANCE TO THAT
REQUIRED ONLY FOR THE CONSTRUCTION OF THE BAC 1-11-475 AIR-
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 094339

FRAME;

B) ANY EQUIPMENT SUBSEQUENTLY APPROVED BY THE COMMITTEE IN
CONNECTION WITH THIS AGREEMENT BE USED ONLY FOR THE CON-
STRUCTION OF THE BAC 1-11-475 AIRFRAME;
C) UK AUTHORITIES FURNISH TO THE COMMITTEE, ON AN ANNUAL
BASIS, A REVIEW OF PERFORMANCE UNDER THE PROPOSED AGREEMENT

TO THE EFFECT THAT EQUIPMENT, COMPONENTS AND TECHNOLOGY SUPPLIED UNDER THE AGREEMENT WITH THE ROMANIANS HAVE BEEN APPLIED SOLELY TO THE MANUFACTURE OF THE BAC 1-11-475 AIR-FRAME;

D) THAT INFORMATION RELATING TO THE ENGINES IS LIMITED TO

THAT NECESSARY FOR INSTALLING THE ENGINES IN THE AIRFRAMES. OTHERWISE, ENGINE TECHNOLOGY TRANSFERRED SHOULD NOT EXCEED THAT ALREADY SUPPLIED TO ROMANIA FOR THE ROUTINE MAINTENANCE AND OPERATION OF THE ENGINES NOW USED IN THE ROMANIAN BAC 1-11 FLEET; AND

E) THAT HANDS-ON TRAINING OF TECHNICIANS ENVISIONED UNDER THIS TRANSACTION TAKE PLACE ENTIRELY IN ROMANIA.

2. FOR THE RECORD, THE U.S. DEL SHOULD MAKE IT CLEAR THAT USG APPROVAL DOES NOT RPT NOT COMMIT THE USG TO APPROVE ANY PARTICULAR ITEM, EQUIPMENT OR COMPONENT, INCLUDING THOSE SUBJECT TO US LICENSING REQUIREMENTS, WHICH MAY BE NECESSARY TO CARRY OUT THE PROGRAM OF CONSTRUCTION ENVISIONED IN THE PROPOSED TRANSACTION.

3. ON A BILATERAL BASIS, THE USDEL MAY WISH TO REVIEW SOME OF THE CONSIDERATIONS RESPONSIBLE FOR THE CONDITIONS ON OUR APPROVAL. THESE REFER IN PART TO :
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 094339

A) THE INCLUSION OF EMBARGOED AVIONICS EQUIPMENT AND, AS POSSIBLE FOLLOW-ONS, MACHINE TOOLS AND COMPUTER PERIPHERAL EQUIPMENT. SOME OF THESE ITEMS MAY BE OF US-ORIGIN OR THE PRODUCT OF US-ORIGIN TECHNOLOGY THAT WOULD REQUIRE PRIOR US EXPORT/REEXPORT AUTHORIZATION. WE CANNOT COMMIT OURSELVES TO APPROVING THESE WITHOUT THE NORMAL REVIEW ASSOCIATED WITH US LICENSING APPLICATIONS; AND

B) OUR CONCERNS RELATING TO EMBARGOED RAW MATERIALS. SPECIFICALLY, THE USG WOULD DESIRE ASSURANCES THAT THE EXPORT OF EMBARGOED RAW MATERIALS AS POTENTIALLY ENVISIONED IN THIS TRANSACTION, NOT BE INTERPRETED TO SANCTION THE TRANSFER OF TECHNIQUES FOR WORKING THIS MATERIAL. ALSO, WE WOULD HOPE THAT UK AUTHORITIES WOULD CONSIDER THE USE OF NON-EMBARGOED COMPONENTS AND MATERIALS WHERE POSSIBLE AND/OR THE SUBSTITUTION OF FINISHED PRODUCTS MADE OUTSIDE OF ROMANIA WHERE FEASIBLE (FOR INSTANCE, COMPONENTS INCORPORATING FLUORO-SILICONE RUBBER SUCH AS "O" RINGS).

4. FYI: OUR INFORMATION INDICATES THAT THERE IS LITTLE

OR NO MARKET FOR THE BAC 1-11-475, OTHER THAN THOSE BOUGHT
BY THE ROMANIANS. THE POINT OF THE CONDITIONS IS TO
LESSEN THE RISK THAT THE PRODUCTION EQUIPMENT COULD
POTENTIALLY BE DIVERTED TO BUILDING OTHER (AND EVEN
POSSIBLY STRATEGIC) AIRCRAFT. CHRISTOPHER

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, MANUFACTURES, AIRCRAFT, LICENSES
Control Number: n/a
Copy: SINGLE
Draft Date: 12 apr 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE094339
Document Source: CORE
Document Unique ID: 00
Drafter: BFURNESS:JAS
Enclosure: n/a
Executive Order: X1
Errors: N/A
Expiration:
Film Number: D780158-0947
Format: TEL
From: STATE
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780464/aaaacckx.tel
Line Count: 121
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: ca1dd0b1-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: ONLY
Reference: 78 STATE 57712, 78 PARIS 8429
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 18 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2990200
Secure: OPEN
Status: NATIVE
Subject: UK LICENSE AGREEMENT TO MANUFACTURE BAC 1-11-475 AIRCRAFT IN ROMANIA
TAGS: ESTC, UK, RO, COCOM
To: PARIS
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/ca1dd0b1-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014